

REMARKS

The Examiner has rejected claims 1-3 and 15-17 as reciting “proportional value” which the Examiner asserts is not supported in the specification. The applicants respectfully traverse the Examiner’s rejection. The present invention provides several differing methods for entering data which reflects proportional assessment or affinity for certain words or characteristics. As described on page 6 lines 1-11, “affinity sliders” may be employed to establish “the proportional accuracy or applicability of the descriptor” to the entering party. Similarly, as described on page 6 lines 16-26 the “sandbox” provides the capability for “mixed proportional designation of multiple predetermined characteristic terms”. The user selects words which are then “dragged and dropped” into a representative location in the sandbox wherein “[a]n *element of proportionality* is added to the attribute by the user employing the mouse to drag the word selected with the cursor into an applicability bin 40 which describes levels of applicability to the user of the term”. See FIGs. 3a and 3b. As described on page 7 lines 1-12, positioning in the sandbox creates a determination of a “relational value of 0-9” for the proportionality of the term depending on its location in the sandbox, i.e. a proportional value. This then reflected in the position for visualization on the “visualizer” as described on page 10 lines 1-13. The applicants respectfully contend that the claim term “proportional value” is supported by the description the specification. Withdrawal of the Examiner’s rejection is requested or in the alternative a substitution of “relational value” for “proportional value” would be considered.

The Examiner has rejected claims 1-29 under 35 U.S.C. §103(a) as unpatentable over Speicher, US Patent 5996006 in view of McArdle et al. (US. Pub. 2002/0049847) and further in view of Poindexter (US pub 2003/0093458). The present invention provides for *user established* proportionality, the relative importance or relevance, in the entered data and reciprocal proportionality created by the system in the viewing of data. As described in the application on page 6 lines 1-11 and FIG. 4, proportionality of data can be entered directly by the user with “sliders” to establish a value for selected criteria. Alternatively, as described on page 6 line 16 – page 7 line 12, the “sandbox” is employed to position the desired traits or criteria relative to other traits/criteria by dragging and dropping the chosen word or phrase in a position in the two dimensional representation of

the space with positioning in a bin for greater or lesser applicability for importance to the user is both dimensions i.e. as a trait applicable to personal characteristics or as a trait applicable to business/professional characteristics.

With respect to claims 1 and 15, the Examiner asserts that Speicher discloses means for displaying a representation of the universe of data as single points in multidimensional relation to a point representing the data of the particular user.

In the present invention, the presentation of data, i.e. persons with traits or criteria comparable to the user, is provided in a “visualizer” as described on page 11 lines 1- 10 of the present application. The visualizer provides a *multidimensional* placement of the compared person to the particular user by a radial distance and a quadrant positioning providing proportionality to the visual display.

Speicher does not disclose any similar elements or limitations. The Examiner’s specific reference in his rejection of claim 1 to FIG. 6 elements 1021 and 1027 and the description at col. 8 lines 34-45 makes no such disclosure. The presentations provided by Speicher are simply text tables without any relevance provided in *multiple dimensions* on the display. The characters 1021 and 1027 are merely text entries that state a match. No proportional relationship of the data is provided much less a positioning of data in “*multidimensional relation to a point representing the data of the particular user*” or scalability of the display from “*the entire universe of data to data for users in a close neighborhood*” as provided by the present invention as specifically claimed. The elements in Speicher referenced by the Examiner are merely data presentation in text format. Further, no “expansion” of data is provided for such as that enabled by the present invention as described on page 12 lines 3- 12 and specifically claimed as “*means for expansion of a selected one of the single points for display of the profile and characteristic data of the user associated with the selected one single point*”. FIG 9 of Speicher and the referenced description merely provides for response to a selected “result” not an expansion of the data presented for the result. This element is claimed in further detail in claim 5 discussed below.

The Examiner cites Poindexter as teaching a system for “assignment of proportional value”. The Poindexter system employs calculation of availability of workers to perform tasks being distributed by the system (see e.g. paras 0047 and 0048).

The system calculates all data for distribution of work and selects the destination for such work in the work flow “proportional to the weight of the destination relative the weights of all destinations” i.e. how busy the workers in the flow and what “weight” they are in the partition See para 0072. Selection of a particular title for example “loan officer” in FIG. 8 results in assignment of a specific value for purposes of calculating the weight. This is purely a calculated value and does not reflect any choice or establishing of proportional values for input terms by the users of the system. The applicants respectfully contend that the Examiner’s reference to Poindexter is not applicable and the Poindexter does not disclose or suggest the elements and limitations of the present claims in any way.

The applicants respectfully request that the Examiner’s rejection of claims 1 and 15 be withdrawn.

With respect to claims 2 and 16, the Examiner asserts that Speicher at col 7 lines 50-56 discloses a “slider” for proportionality selection. The text cited does not disclose or suggest any “proportional” selection but merely the identification of specific “input fields” which correspond to displayed fields on the “Ad Placement Form” that are selected by the user for input of text. No means of varying the relative importance of the input is disclosed. The specific limitations of claim 2 for means for selection of predetermined data elements with assignment of proportional value comprising a *“slider adjustable through a range of applicability of the predetermined term to the user”* is not disclosed or suggested and the applicants contend that claim 2 and by similar argument claim 16 as a method, are patentable over Speicher and McArdle.

With respect to the Examiner rejection of claims 3 and 17 based on FIGs. 3(o) and 3(p) of McArdle, the argument above is reiterated. The New Orders box is merely a display location. The McArdle disclosure in those figures does not go beyond a mere display of the selected icons. No disclosure of any proportional relationship of the entered data is made. The applicants respectfully contend that the Examiner’s rejection is not supported.

With respect to claim 4 the Examiner again asserts that FIGs. 3(o) and 3(p) of McArdle disclose “bins” for respective proportionality of the selected terms. The “bins” in the present invention allow a selected term to be “dropped” into that bin, as describe

on page 6 lines 22 – 26 of the present application and FIG. 5a which shows as exemplary three separate bins 40, 42 and 44, to provide a weighting or proportional value for calculation and subsequent placement/presentation in the visualizer as well as determining “closeness” of the specified characteristics for the user and the collaboration contact. The operation of the proportionality bins is further explained on page 7 lines 1-12. No such disclosure is present in McArdle as cited. At most, the New Orders box comprises a single bin.

With respect to claims 5 and 20 the Examiner correctly asserts that Speicher teaches an expansion of data from a selected add through a link to that specific add. However, claims 5 and 20 depend from claims 1 and 15 and therefore include the limitations and structure provided in those claims. The applicants respectfully contend that when taken not merely as a single element but as a combination of all elements, as required, these claims are allowable. As argued above, Speicher and McArdle do not disclose or suggest the combination of elements claimed and the applicants respectfully contend that claims 5 and 20 read with all applicable structure and limitations are therefore allowable.

The Examiner has rejected claims 6 and 21 based on disclosure in Speicher of a means for contact of the “user” if a match is found between an add and the user’s input criteria. The present invention provides for a display of the data of all “users”. The present invention allows a particular user viewing the display to select another user represented as a point on the display and be placed in contact with that user (*“means for initiating contact with the user associated with the selected one single point”*). Such capability is not disclosed in Speicher which only provides for an automated contact based on an exact match. Additionally as argued above, claims 6 and 21 depend from claims 1 and 15 and therefore include the limitations and structure provided in those claims. As argued above, Speicher and McArdle do not disclose or suggest the complete combination of elements claimed. The applicants respectfully contend that claims 6 and 21 are not disclosed or suggested by the art as cited by the Examiner and are allowable.

The Examiner cites Speicher col 11 lines 27-28 with respect to rejection of claims 7 and 22. The cited reference in Speicher deals solely with storage of data input by the “caller” (the equivalent of the “particular user” in the current application with respect to

the claims at issue) not any data presented by the display and then selected by the user. “If the *caller* elects to respond to the ad, the IVR next cues him to record *his response* 8011. The IVR then stores *the response* to a disk file 8012 and updates the Ad Database” (emphasis added). Claims 7 and 22 provide for selection of one of a plurality of users represented on the display by the particular user and storage of that information in the particular user’s database. See the description in the present application at page 12 lines 13-20. The applicants contend that this feature of the present invention as claimed is not disclosed or suggested by the prior art cited by the Examiner and that claims 7 and 22 are allowable.

With respect to claims 8 and 23, the Examiner cites Speicher col. 11, lines 17-18 for the limitation “wherein the single points on the displaying means further include secondary indicia of available data included for the user associated with the selected one single point”. The specific disclosure cited in Speicher provides “If the IVR finds a match, the IVR plays the greeting of the matching ad 8009. If the greeting is in text form, the IVR uses text to speech to play the message”. This capability is again merely a response to an exact match input by the caller. The present invention as claimed provides “secondary indicia” of available data. As described in the present specification at pages 11 line 22 through page 12 line 2 “For example if a photo has been uploaded as previously described with respect to FIG. 6, *the icon* on the Visualizer is depicted in a *different color or with a different icon shape* as shown for one representative asterisk 58. *Alternatively, the color or shape can be a further indicia* of the relative similarities of the user and the people or entities represented in the visualizer. For example, greater similarity in the career category could result in an icon of a first color while similarity in the personal category would result in an icon of a second color” (emphasis added). Speicher does not disclose or suggest any such capability and the applicants contend that claims 8 and 23 are patentable.

The Examiner’s rejection of claims 9 and 24 with citation to Speicher fig. 9 is not clearly understood. However, if the Examiner is referring to the icons present for the video camera (video), microphone (audio) and photograph (camera), such icons are representative for input data of that format as input (see col. 12 lines 23 – 35 for a description of the present invention’s capabilities) and do not have any relationship to the

ability to subsequently create a display “wherein the secondary indicia comprises a *variable icon* representing the single points”. There is no disclosure that icons themselves have secondary indicia to indicate various alternative data available for a selected point such as an icon on the visualizer in the present invention.

The Examiner’s rejection of claims 10 and 25 with reference to Speicher fig. 14 is also not clearly understood. However, again presuming the reference relates to the icons for video and audio, the argument above for claims 9 and 24 is reiterated. No disclosure is present in Speicher of the limitation claimed for “secondary indicia [which] comprises *a variable color applied to an icon representing a single point*” (emphasis added).

Speicher at col. 14 lines 41-43 referenced by the Examiner in rejection of claims 11 and 26 discloses “FIG. 11 depicts personal ads as they would appear in the local newspaper. Icons are included in each ad that represent the origin of an ad (via telephone or via the internet) and what additional information or multimedia, if any is available on the internet.” The applicants respectfully find no disclosure of any element or step for a display “wherein the multidimensional relation is radial location and distance, and the calculating means calculates a segment and distance for each point representing the data for a particular user”. The applicants contend that the Examiner’s rejection is unsupported by the cited reference.

With respect to claims 12 and 27, 13 and 28, 14 and 29, and 18 the argument presented above with respect to the independent and/or intermediary claims from which these claims depend demonstrates the elements and limitations of the combination presented in the claims as a whole that is not disclosed or suggested by Speicher alone or in combination with McArdle and Poindexter. The applicants respectfully contend that when taken not merely as a single element but as a combination of all elements, as required, these claims are allowable. The Examiner refers to Poindexter fig. 8 which discloses selection of a particular level of worker to which work will be assigned. That level has a preassigned value or partition which is then used in the calculation for work flow assignment. As previously argued, this disclosure provides no capability for selection of a proportional or relational value associated with a term by the user.

With respect to claim 19 the Examiner again asserts that FIGs. 3(o) and 3(p) of McArdle disclose “bins” for respective proportionality of the selected terms. As argued

above with respect to claim 4, The “bins” in the present invention allow a selected term to be “dropped” into that bin, as describe on page 6 lines 22 – 26 of the present application and FIG. 5a which shows as exemplary three separate bins 40, 42 and 44, to provide a weighting or proportional value for calculation and subsequent placement/presentation in the visualizer as well as determining “closeness” of the specified characteristics for the user and the collaboration contact. The operation of the proportionality bins is further explained on page 7 lines 1-12. No disclosure is present in McArdle as cited of “providing a *plurality of proportionality bins* in which the selected attributes *are placed based on relative applicability to the user*” (emphasis added). At most, the New Orders box comprises a single bin.

The applicants believe that all claims in the application are in condition for allowance as argued above and action by the Examiner in that regard is respectfully requested.

Respectfully submitted,

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